

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

RANDAL MILLER,

Plaintiff,

vs.

NCO GROUP, INC.,

Defendant.

**4:14CV3222**

**FINAL PROGRESSION ORDER**

IT IS ORDERED that the final progression order is as follows:

- 1) The jury trial of this case is set to commence before Richard G. Kopf, Senior United States District Judge, in Courtroom 1, United States Courthouse, Lincoln, Nebraska, at 9:00 a.m. on March 28, 2016, or as soon thereafter as the case may be called, for a duration of three (3) trial days. This case is subject to the prior trial of criminal cases and such other civil cases as may be scheduled for trial before this one. Jury selection will be held at the commencement of trial.
- 2) The Pretrial Conference is scheduled to be held before the undersigned magistrate judge on March 15, 2016 at **10:00 a.m.**, and will be conducted by WebEx conferencing. To facilitate this conferencing method, the parties' proposed Pretrial Conference Order and Exhibit List(s) must be emailed to [zwart@ned.uscourts.gov](mailto:zwart@ned.uscourts.gov), in either Word Perfect or Word format, by 5:00 p.m. on March 14, 2016. An email will be sent to counsel of record with the instructions and codes for participating in the pretrial conference by WebEx.
- 3) A telephonic conference with the undersigned magistrate judge will be held on December 29, 2015 at **9:30 a.m.** to discuss the status of case progression and potential settlement. Counsel for plaintiff shall place the call.
- 4) Mandatory disclosures shall be served by February 6, 2015.
- 5) The deadline for moving to amend pleadings or add parties is April 9, 2015.
- 6) The deadline for completing written discovery under Rules 33 through 36 of the Federal Rules of Civil Procedure is August 14, 2015. Motions to

compel Rule 33 through 36 discovery must be filed by July 30, 2015 **Note:** Motions to compel shall not be filed without first contacting the chambers of the undersigned magistrate judge to set a conference for discussing the parties' dispute.

- 7) The deadline for identifying expert witnesses expected to testify at the trial, (both retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(B\)](#)), and non-retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(C\)](#)), is September 18, 2015.
- 8) The deadline for complete expert disclosures for all experts expected to testify at trial, (both retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(B\)](#)), and non-retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(C\)](#)), is October 23, 2015.
- 9) The deposition deadline is August 14, 2015.
- 10) The deadline for filing motions to dismiss and motions for summary judgment is November 20, 2015.<sup>1</sup>
- 11) The deadline for filing motions to exclude testimony on *Daubert* and related grounds is December 18, 2015.
- 12) Motions in limine shall be filed five business days prior to trial. It is not the normal practice to hold hearings on motions in limine or to rule on them in advance. Counsel should plan accordingly.
- 13) The parties shall comply with all other stipulations and agreements recited in their Rule 26(f) planning report that are not inconsistent with this order.

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<sup>1</sup> To facilitate the court's review, the parties are strongly encouraged to include hyperlinks to the evidence, CM/ECF record, and all legal authorities cited within their briefs filed in support of, or in opposition to, any motions filed. See NECivR [7.1](#). For instructions, see "Hyperlinking Information" at <http://www.ned.uscourts.gov/attorney/electronic-case-filing>.

Dated this 26th day of January, 2015

BY THE COURT:

s/ Cheryl R. Zwart  
United States Magistrate Judge